

PATENT COOPERATION TREATY

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International Searching Authority

From the INTERNATIONAL SEARCHING AUTHORITY

PCT

NOTIFICATION OF TRANSMITTAL OF
THE INTERNATIONAL SEARCH REPORT AND
THE WRITTEN OPINION OF THE INTERNATIONAL
SEARCHING AUTHORITY, OR THE DECLARATION

To:
THE PROCTER & GAMBLE COMPANY
Attn. Reed, T. David
Winton Hill Business Center
6110 Center Hill Road
Cincinnati, Ohio 45224
UNITED STATES OF AMERICA

(PCT Rule 44.1)

Date of mailing (day/month/year)	28/06/2005
Applicant's or agent's file reference	9576/DW
FOR FURTHER ACTION	See paragraphs 1 and 4 below
International application No.	PCT/US2005/008052
International filing date (day/month/year)	09/03/2005
Applicant THE PROCTER & GAMBLE COMPANY	

1. ☒ The applicant is hereby notified that the international search report and the written opinion of the International Searching Authority have been established and are transmitted herewith.

Filing of amendments and statement under Article 19:

The applicant is entitled, if he so wishes, to amend the claims of the International Application (see Rule 46):

When? The time limit for filing such amendments is normally 2 months from the date of transmittal of the International Search Report; however, for more details, see the notes on the accompanying sheet.

Where? Directly to the International Bureau of WIPO, 34 chemin des Colombettes
1211 Geneva 20, Switzerland, Facsimile No.: (41-22) 740.14.35

For more detailed instructions, see the notes on the accompanying sheet.

2. ☐ The applicant is hereby notified that no international search report will be established and that the declaration under Article 17(2)(a) to that effect and the written opinion of the International Searching Authority are transmitted herewith.
3. ☐ With regard to the protest against payment of (an) additional fee(s) under Rule 40.2, the applicant is notified that:
- ☐ the protest together with the decision thereon has been transmitted to the International Bureau together with the applicant's request to forward the texts of both the protest and the decision thereon to the designated Offices.
- ☐ no decision has been made yet on the protest; the applicant will be notified as soon as a decision is made.

4. Reminders

Shortly after the expiration of 18 months from the priority date, the international application will be published by the International Bureau. If the applicant wishes to avoid or postpone publication, a notice of withdrawal of the international application, or of the priority claim, must reach the International Bureau as provided in Rules 90bis.1 and 90bis.3, respectively, before the completion of the technical preparations for international publication.

The applicant may submit comments on an informal basis on the written opinion of the International Searching Authority to the International Bureau. The International Bureau will send a copy of such comments to all designated Offices unless an international preliminary examination report has been or is to be established. These comments would also be made available to the public but not before the expiration of 30 months from the priority date.

Within 19 months from the priority date, but only in respect of some designated Offices, a demand for international preliminary examination must be filed if the applicant wishes to postpone the entry into the national phase until 30 months from the priority date (in some Offices even later); otherwise, the applicant must, within 20 months from the priority date, perform the prescribed acts for entry into the national phase before those designated Offices.

In respect of other designated Offices, the time limit of 30 months (or later) will apply even if no demand is filed within 19 months.

See the Annex to Form PCT/IB/301 and, for details about the applicable time limits, Office by Office, see the PCT Applicant's Guide, Volume II, National Chapters and the WIPO Internet site.

Name and mailing address of the International Searching Authority



European Patent Office, P.B. 5818 Patentaan 2
NL-2280 HV Rijswijk
Tel. (+31-70) 340-2040, Tx. 31 851 epo nl.
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Authorized officer

Jette Christensen

NOTES TO FORM PCT/ISA/220

These Notes are intended to give the basic instructions concerning the filing of amendments under Article 19. The Notes are based on the requirements of the Patent Cooperation Treaty, the Regulations and the Administrative Instructions under that Treaty. In case of discrepancy between these Notes and those requirements, the latter are applicable. For more detailed information, see also the PCT Applicant's Guide, a publication of WIPO.

In these Notes, "Article", "Rule", and "Section" refer to the provisions of the PCT, the PCT Regulations and the PCT Administrative Instructions respectively.

INSTRUCTIONS CONCERNING AMENDMENTS UNDER ARTICLE 19

The applicant has, after having received the international search report, one opportunity to amend the claims of the international application. It should however be emphasized that, since all parts of the international application (claims, description and drawings) may be amended during the international preliminary examination procedure, there is usually no need to file amendments of the claims under Article 19 except where, e.g. the applicant wants the latter to be published for the purposes of provisional protection or has another reason for amending the claims before international publication. Furthermore, it should be emphasized that provisional protection is available in some States only.

What parts of the international application may be amended?

Under Article 19, only the claims may be amended.

During the international phase, the claims may also be amended (or further amended) under Article 34 before the International Preliminary Examining Authority. The description and drawings may only be amended under Article 34 before the International Examining Authority.

Upon entry into the national phase, all parts of the international application may be amended under Article 28 or, where applicable, Article 41.

When?

Within 2 months from the date of transmittal of the international search report or 16 months from the priority date, whichever time limit expires later. It should be noted, however, that the amendments will be considered as having been received on time if they are received by the International Bureau after the expiration of the applicable time limit but before the completion of the technical preparations for international publication (Rule 46.1).

Where not to file the amendments?

The amendments may only be filed with the International Bureau and not with the receiving Office or the International Searching Authority (Rule 46.2).

Where a demand for international preliminary examination has been filed, see below.

How?

Either by cancelling one or more entire claims, by adding one or more new claims or by amending the text of one or more of the claims as filed.

A replacement sheet must be submitted for each sheet of the claims which, on account of an amendment or amendments, differs from the sheet originally filed.

All the claims appearing on a replacement sheet must be numbered in Arabic numerals. Where a claim is cancelled, no renumbering of the other claims is required. In all cases where claims are renumbered, they must be renumbered consecutively (Administrative Instructions, Section 206(b)).

The amendments must be made in the language in which the international application is to be published.

What documents must accompany the amendments?

Letter (Section 206(b)):

The amendments must be submitted with a letter.

The letter will not be published with the international application and the amended claims. It should not be confused with the "Statement under Article 19(1)" (see below, under "Statement under Article 19(1)").

The letter must be in English or French, at the choice of the applicant. However, if the language of the international application is English, the letter must be in English; if the language of the international application is French, the letter must be in French.

NOTES TO FORM PCT/ISA/220 (continued)

The letter must indicate the differences between the claims as filed and the claims as amended. It must, in particular, indicate, in connection with each claim appearing in the international application (it being understood that identical indications concerning several claims may be grouped), whether

- (i) the claim is unchanged;
- (ii) the claim is cancelled;
- (iii) the claim is new;
- (iv) the claim replaces one or more claims as filed;
- (v) the claim is the result of the division of a claim as filed.

The following examples illustrate the manner in which amendments must be explained in the accompanying letter:

1. [Where originally there were 46 claims and after amendment of some claims there are 51]:
"Claims 1 to 29, 31, 32, 34, 35, 37 to 48 replaced by amended claims bearing the same numbers; claims 30, 33 and 36 unchanged; new claims 49 to 51 added."
2. [Where originally there were 15 claims and after amendment of all claims there are 11]:
"Claims 1 to 15 replaced by amended claims 1 to 11."
3. [Where originally there were 14 claims and the amendments consist in cancelling some claims and in adding new claims]:
"Claims 1 to 6 and 14 unchanged; claims 7 to 13 cancelled; new claims 15, 16 and 17 added." or
"Claims 7 to 13 cancelled; new claims 15, 16 and 17 added; all other claims unchanged."
4. [Where various kinds of amendments are made]:
"Claims 1-10 unchanged; claims 11 to 13, 18 and 19 cancelled; claims 14, 15 and 16 replaced by amended claim 14; claim 17 subdivided into amended claims 15, 16 and 17; new claims 20 and 21 added."

"Statement under article 19(1)" (Rule 46.4)

The amendments may be accompanied by a statement explaining the amendments and indicating any impact that such amendments might have on the description and the drawings (which cannot be amended under Article 19(1)).

The statement will be published with the international application and the amended claims. It must be in the language in which the international application is to be published.

It must be brief, not exceeding 500 words if in English or if translated into English.

It should not be confused with and does not replace the letter indicating the differences between the claims as filed and as amended. It must be filed on a separate sheet and must be identified as such by a heading, preferably by using the words "Statement under Article 19(1)."

It may not contain any disparaging comments on the international search report or the relevance of citations contained in that report. Reference to citations, relevant to a given claim, contained in the international search report may be made only in connection with an amendment of that claim.

Consequence if a demand for international preliminary examination has already been filed

If, at the time of filing any amendments under Article 19, a demand for international preliminary examination has already been submitted, the applicant must preferably, at the same time of filing the amendments with the International Bureau, also file a copy of such amendments with the International Preliminary Examining Authority (see Rule 62.2(a), first sentence).

Consequence with regard to translation of the international application for entry into the national phase

The applicant's attention is drawn to the fact that, where upon entry into the national phase, a translation of the claims as amended under Article 19 may have to be furnished to the designated/selected Offices, instead of, or in addition to, the translation of the claims as filed.

For further details on the requirements of each designated/selected Office, see Volume II of the PCT Applicant's Guide.

PATENT COOPERATION TREATY

PCT

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference 9576/DW	FOR FURTHER ACTION see Form PCT/ISA/220 as well as, where applicable, item 5 below.	
International application No. PCT/US2005/008052	International filing date (day/month/year) 09/03/2005	(Earliest) Priority Date (day/month/year) 11/03/2004
Applicant THE PROCTER & GAMBLE COMPANY		

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 5 sheets.

☒ It is also accompanied by a copy of each prior art document cited in this report.

1. Basis of the report

- a. With regard to the **language**, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐

The international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

- b. ☐ With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, see Box No. I.

2. ☐ **Certain claims were found unsearchable** (See Box II).

3. ☐ **Unity of invention is lacking** (see Box III).

4. With regard to the **title**,

☒

the text is approved as submitted by the applicant.

☐

the text has been established by this Authority to read as follows:

5. With regard to the **abstract**,

☒

the text is approved as submitted by the applicant.

☐

the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box No. IV. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. With regard to the **drawings**,

- a. the figure of the **drawings** to be published with the abstract is Figure No. _____

☐

as suggested by the applicant.

☐

as selected by this Authority, because the applicant failed to suggest a figure.

☐

as selected by this Authority, because this figure better characterizes the invention.

- b. ☐ none of the figures is to be published with the abstract.

INTERNATIONAL SEARCH REPORT

International Application No.
PCT/US2005/008052A. CLASSIFICATION OF SUBJECT MATTER
IPC 7 A61K7/06 A61K7/48

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)
IPC 7 A61K

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)
EPO-Internal, WPI Data

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	US 2003/118540 A1 (CHARLTON LYNDIA ROSEMARY ET AL) 26 June 2003 (2003-06-26) claims; examples 6,8	1-10
X	FR 2 769 838 A (ROC SA) 23 April 1999 (1999-04-23) example 3	1-10
X	US 6 159 483 A (PARLE-SCHMITZ ET AL) 12 December 2000 (2000-12-12) claims; examples 7,8	1-10
X	US 5 674 509 A (DATE ET AL) 7 October 1997 (1997-10-07) claims; examples I-X	1-10
-/-		

☒ Further documents are listed in the continuation of box C.☒ Patent family members are listed in annex.

* Special categories of cited documents:

- *A* document defining the general state of the art which is not considered to be of particular relevance
- *E* earlier document but published on or after the international filing date
- *L* document which may throw doubts on priority claims or which is cited to establish the publication date of another citation or other special reason (as specified)
- *O* document referring to an oral disclosure, use, exhibition or other means
- *P* document published prior to the international filing date but later than the priority date claimed

- *T* later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- *X* document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- *Y* document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.
- *Z* document member of the same patent family

Date of the actual completion of the international search

9 June 2005

Date of mailing of the international search report

28/06/2005

Name and mailing address of the ISA

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 NL - 2280 HV Rijswijk
 Tel (+31-70) 340-2040, Tx: 31 651 op nL
 Fax: (+31-70) 340-2016

Authorized officer

Miller, B

INTERNATIONAL SEARCH REPORT

International Application No
PCT/US2005/008052

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	US 6 150 313 A (HARMALKER ET AL) 21 November 2000 (2000-11-21) claims; examples 1,2 -----	1-10
X	US 2003/199593 A1 (PEREIRA ABEL G ET AL) 23 October 2003 (2003-10-23) claims; example 19 -----	1-10
X	US 2002/071818 A1 (COLE CURTIS A ET AL) 13 June 2002 (2002-06-13) claims; example 4 -----	1-10
X	WO 01/17489 A (THE PROCTER & GAMBLE COMPANY) 15 March 2001 (2001-03-15) examples -----	1-10

INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No.

PCT/US2005/008052

Patent document cited in search report		Publication date	Patent family member(s)	Publication date
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			AU 720020 B2	18-05-2000
			AU 3033097 A	07-01-1998
			BR 9709774 A	10-08-1999
			CA 2257810 A1	18-12-1997
			CN 1221334 A ,C	30-06-1999
			CZ 9804071 A3	12-05-1999
			DE 69723979 D1	11-09-2003
			DE 69723979 T2	22-07-2004
			DK 906086 T3	10-11-2003
			EA 1573 B1	25-06-2001
			WO 9747171 A1	18-12-1997
			EP 0906086 A1	07-04-1999
			ES 2206714 T3	16-05-2004
			HK 1016875 A1	28-05-2004
			HU 0001821 A2	28-11-2000
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			PL 330603 A1	24-05-1999
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			ZA 9705062 A	12-08-1998
FR 2769838	A	23-04-1999	FR 2769838 A1	23-04-1999
			AU 9278598 A	10-05-1999
			WO 9920271 A1	29-04-1999
US 6159483	A	12-12-2000	AU 757725 B2	06-03-2003
			AU 4215099 A	20-12-1999
			BR 9910850 A	20-02-2001
			CA 2333766 A1	09-12-1999
			CN 1311663 A ,C	05-09-2001
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			NO 20006082 A	30-11-2000
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			EP 0793475 A1	10-09-1997
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			WO 9417774 A1	18-08-1994
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US 6150313	A	21-11-2000	AT 272998 T	15-08-2004
			AU 774800 B2	08-07-2004
			AU 6920600 A	13-03-2001
			BR 0013417 A	30-04-2002
			CA 2380737 A1	22-02-2001
			CN 1384732 A	11-12-2002

INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No
PCT/US2005/008052

Patent document cited in search report	Publication date	Patent family member(s)	Publication date	
US 6150313	A	CZ 20020566 A3	15-05-2002	
		DE 60012938 D1	16-09-2004	
		EP 1204405 A1	15-05-2002	
		ES 2226907 T3	01-04-2005	
		HK 1047225 A1	18-03-2005	
		HU 0202937 A2	28-01-2003	
		MX PA02001728 A	06-08-2002	
		NZ 517048 A	30-06-2003	
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		ZA 200201051 A	06-05-2003	
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			WO 03063790 A2	07-08-2003
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			CA 2404561 A1	24-03-2003
			CN 1408340 A	09-04-2003
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			MX PA02009399 A	12-08-2004
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			CN 1397270 A	19-02-2003
			EP 1219288 A2	03-07-2002
			JP 2002255725 A	11-09-2002
			MX PA02000274 A	21-05-2004
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			JP 2003508473 T	04-03-2003
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			US 6767875 B1	27-07-2004